



**OCTOBER 17 - 21, 2011
ST. PAUL, MINNESOTA**

William Jay Riley, Chief Judge - Omaha, Nebraska

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
James B. Loken - Minneapolis, MN
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO
Bobby E. Shepherd - El Dorado, AR**

Circuit Judges Who Have Taken Senior Status

**Myron H. Bright - Fargo, ND
Pasco M. Bowman - Kansas City, MO
C. Arlen Beam - Lincoln, NE
Morris S. Arnold - Little Rock, AR**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Warren E. Burger Federal Building & U.S. Courthouse at 316 N. Robert Street, St. Paul, Minnesota. Counsel presenting oral argument should report to the Clerk's Office, Room 500, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Counsel are required to file an "Argument Response/Appearance" form with the Clerk's Office identifying the party or parties they will be representing at oral argument. If an "Appearance" form has not already been filed, the "Argument Response/Appearance" form serves as your notice of appearance in the case. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans
Clerk of Court

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The following visiting judges will sit with the court in October:

***The Honorable Paul A. Magnuson**
Senior U.S. District Judge
St. Paul, Minnesota

***The Honorable E. Richard Webber**
Senior U.S. District Judge
St. Louis, Missouri

Updated 10/07/2011

**DIVISION I
Courtroom 5A**

**MONDAY, OCTOBER 17, 2011
BEFORE JUDGES RILEY, LOKEN, BENTON**

			CBC
10-3523	EA	United States v. Leon Nash	NO ARG
10-3637	WM	United States v. Harlan Davis	NO ARG
10-3650	WA	United States v. Jorge Hernandez	NO ARG
10-3629	EM	United States v. Sean Dace	NO ARG
10-3596	WA	United States v. Kirk Demeyer	NO ARG
10-3652	SI	United States v. Donald Miller	NO ARG

**TUESDAY, OCTOBER 18, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES RILEY, LOKEN, BENTON**

				JMB
1	11-1462	ND	United States v. Michael Reed	
	11-1463	ND	United States v. Gregory Davis	15
2	11-1046	MN	Katia Guimaraes v. Supervalu	15
3	11-1473	MN	Karen Chambers v. The Travelers Companies	15
4	11-1789	MN	BP Group v. David Kloeber, Jr.	15
5	10-3477	MN	United States v. Gregg Pickar	10

**BEGINNING AT 1:30 PM
BEFORE JUDGES MELLOY, SMITH, BENTON**

11-1587	EA	Richard Jackson v. John Selig	15
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**DIVISION I
Courtroom 5A**

**WEDNESDAY, OCTOBER 19, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES RILEY, SHEPHERD, *MAGNUSON**

				CBC	
1	11-1593	SD	Robin Bair, et al. v. Robert Callahan, M.D.		15
2	10-3811	SD	Stephen Novotny v. Tripp County, South Dakota, et al.		10
3	11-1070	NI	United States v. Nichole Forde		
	11-1071	NI	United States v. James Toliver		15
4	11-2098	NI	United States v. John Dolehide		15
	11-1756	NI	United States v. Kenneth Bowman	NO ARG	

**THURSDAY, OCTOBER 20, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES RILEY, SHEPHERD, *WEBBER**

				CYZ	
	10-2989	ND	United States v. Ferris Lee		
	10-2990	ND	United States v. Maurice Forest		
	10-2992	ND	United States v. Marcus Royston	REMOVED	
1	10-3169	ND	United States v. Darrin Raysor		15
2	10-3179	MN	Grant Gomez, et al. v. Wells Fargo Bank, et al.		15
3	10-3003	SD	Charles Sisney v. Tim Reisch, et al.		15
4	11-1723	MN	United States v. Arthur Chappell		15

DIVISION I
Courtroom 5A

FRIDAY, OCTOBER 21, 2011 BEGINNING AT 8:30 AM
BEFORE JUDGES RILEY, SHEPHERD, *WEBBER

				CYZ
1	10-3345	MN	United States v. Carolyn Louper-Morris	
	11-1021	MN	United States v. William Morris, Jr.	15
2	11-1911	SD	United States v. Shana Schmidt	15
	11-1855	NI	United States v. Nathan Melton	NO ARG
	11-2060	NI	United States v. Shawn Gant	NO ARG
3	11-1732	NI	United States v. Jeffrey Smith	10

**DIVISION II
Courtroom 5B**

**MONDAY, OCTOBER 17, 2011
BEFORE JUDGES MURPHY, BYE, SMITH**

			LMT
10-3339	NI	United States v. Aaron Stock	NO ARG
10-3678	EM	United States v. Tyrone Brown	NO ARG
10-3737	NE	United States v. Larita Duncan	NO ARG
10-3788	NI	United States v. Debra Otten	NO ARG
11-1041	EA	United States v. Katherine West	NO ARG
11-1075	NE	United States v. Jedidiah Riekenberg	NO ARG

**TUESDAY, OCTOBER 18, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES MURPHY, BYE, SMITH**

			LMT
1	10-3625	MN	Best Buy Stores v. Benderson-Wainberg Associates, et al.
	10-3627	MN	Best Buy Stores v. Developers Diversified Realty Corporation, et al. 15
2	11-1787	SD	Shaylene Montoya v. City of Flandreau, et al. 15
	10-3643	MN	Timothy Salisbury v. Itasca County, Deputy Rob Johnson, et al. NO ARG
3	11-1661	SD	Friends of the Norbeck, et al. v. United States Forest Service, et al. 15
4	11-1497	MN	Paulette Price, et al. v. Northern States Power Company 15

**DIVISION II
Courtroom 5B**

**WEDNESDAY, OCTOBER 19, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES BYE, SMITH, COLLOTON**

				LMT
1	10-3733	SD	Andrea Bjornestad v. Progressive Northern Insurance Company	15
2	10-3298	NE	Planned Parenthood, et al. v. Nebraskans United for Life	15
3	10-3759	SD	Cindy Tripp, et al. v. Western National Mutual Insurance Company	10
4	11-1507	NI	United States v. Brock Burman	15
5	11-1048	MN	Sandra Der, et al. v. Sean Connolly, et al.	15
	11-1162	MN	Sandra Der, et al. v. Sean Connolly, et al.	

**THURSDAY, OCTOBER 20, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES BYE, SMITH, COLLOTON**

				LMT
1	11-1973	EM	Peter Kinder, et al. v. Timothy Geithner, et al.	30
2	10-3142	SD	James Gregg v. United States	15
3	11-1292	MN	Kenath Stein v. Chase Home Finance, et al.	15
4	11-1488	MN	United States v. Gary Growden	10
5	11-1592	NI	United States v. Delores Mosley	10

DIVISION II
Courtroom 5B

FRIDAY, OCTOBER 21, 2011 BEGINNING AT 8:30 AM
BEFORE JUDGES BYE, SMITH, COLLOTON

				LMT
1	11-2121	ND	United States v. Darrin Anderson	15
2	11-1285	MN	United States v. Sylvester Gayekpar	
	11-1333	MN	United States v. Timothy Boe	15
3	11-1830	SD	United States v. Kevin Houston	15
4	11-1106	MN	United States v. Sherman Lee	10

**DIVISION III
Courtroom 5C**

**MONDAY, OCTOBER 17, 2011
BEFORE JUDGES MELLOY, BEAM, GRUENDER**

11-1204	NE	United States v. Marques Sanders	JMH DISMISSED
11-1276	WA	United States v. Andres Carbajal	NO ARG
11-1110	WA	United States v. Carl Walker	NO ARG
11-1297	NE	United States v. Nicole Waggy	NO ARG
11-1349	SI	United States v. Miguel Gonzalez	NO ARG
11-1331	SI	United States v. Merrideth Crane-Horton	NO ARG
11-1407	SI	United States v. Edwin Horton	

**TUESDAY, OCTOBER 18, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES MELLOY, BEAM, GRUENDER**

				JMH
1	10-3394	MN	David Stock Farm Services v. Natural Resources Conservation Service, et al.	15
2	10-3387	MN	United States v. Craig Anderson	10
3	11-1771	NI	United States v. Kevin McManaman	15
4	11-1806	NE	United States v. Jamaal Williams	10
	11-1718	NI	United States v. Michael Mayer	NO ARG
5	11-1156	MN	United States v. Lyons Bynum	10
	11-1287	MN	United States v. Lyons Bynum	

**DIVISION III
Courtroom 5C**

**WEDNESDAY, OCTOBER 19, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES MELLOY, BEAM, GRUENDER**

					JMH NO ARG
	10-2128		Imad Mouawad v. Eric H. Holder, Jr.		
1	10-3682	MN	Alpine Glass v. Country Mutual Insurance Company, et al.		15
2	11-1417	MN	Richard Gacek v. Owens & Minor Distribution, et al.		15
3	10-3353	MN	Dawn McClelland v. Life Insurance Company of North America		
	11-1300	MN	Dawn McClelland v. Life Insurance Company of North America		15
	11-1239	SD	United States v. Earl Bordeaux, Jr.		NO ARG

**THURSDAY, OCTOBER 20, 2011 BEGINNING AT 9:00 AM
BEFORE JUDGES MELLOY, BEAM, GRUENDER**

					JMH
1	10-3797	SD	United States v. Jesus Diaz-Pellegaud		
	10-3828	SD	United States v. Jose Garcia		
	10-3830	SD	United States v. Jose Burgos-Valdez		
	11-1002	SD	United States v. Benjamin Melendez-Rocha		30
2	11-2093	NI	Christine Dollar v. Smithway Motor Xpress, et al.		15
	11-1958	MN	United States v. Michael Constantine		NO ARG
	11-2325	NI	United States v. Denzel Hodges		NO ARG
	11-2374	NI	United States v. Chad Kammerude		NO ARG
3	11-1569	NI	United States v. Donald Herbst, Sr.		15

**DIVISION III
Courtroom 5C**

**FRIDAY, OCTOBER 21, 2011 BEGINNING AT 8:30 AM
BEFORE JUDGES MELLOY, BEAM, GRUENDER**

11-1598	SD	United States v. Guillermo Ortiz	JMH NO ARG
11-1393	NI	United States v. Hugo Castillo-Martinez	NO ARG
11-1447	MN	United States v. Patrick Osei	
11-1448	MN	United States v. Patrick Osei	NO ARG